



*82nd LEGISLATIVE SESSION*  
RECOMMENDATIONS FOR LEGISLATION

**PHOTO VOTER ID**  
**COMPREHENSIVE ELECTION CODE REFORM**

KING STREET PATRIOTS | TRUE THE VOTE

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# **PHOTO VOTER ID AND COMPREHENSIVE ELECTION CODE REFORM**

## ***RECOMMENDATIONS FOR LEGISLATION***

### **PHOTO VOTER ID**

1. Require Photo Identification to vote

### **VOTER ROLL INTEGRITY**

2. Prohibit payment of Deputy Registrars based on quota or number of registration applications collected
3. Immediately terminate Deputy Registrars who submit incomplete or late registration applications
4. Immediately terminate Deputy Registrars who sign registration applications they did not complete
5. Increase penalties for forged or otherwise fraudulent registration applications
6. Allow Registration Challenges based on knowledge of discovery by the voter desiring to challenge the registration
7. Require mandatory training for Deputy Registrars
8. Require Deputy Registrars maintain residence in State 6 months prior to deputization
9. Require Deputy Registrars be registered to vote in the State in which they are collecting registration applications

### **ELECTION PROCESS INTEGRITY**

10. Allow Internet Voting for active military personnel stationed overseas
11. Prohibit Same Day Registration
12. Increase penalties for Electioneering Distance violations
13. Require Election Officer complete Assistance Form each time assistance is provided to a voter
14. Require Secretary of State identify and purge voter registry of deceased and felons at standardized intervals
15. Require Courts provide Secretary of State with timely records of final felony convictions
16. Require each election day Election Officer pass a mandatory test
17. Allow recording devices inside the polling place, while still requiring confidentiality of voter and ballot
18. Require confidentiality of identity and personal information of a Poll Watcher; impose penalties on any election officer who discloses such
19. Require all counties adopt the TEAM system and support online operation
20. Require peace officers serving in polling places to be TCLEOSE certified
21. Require Presiding Judge obtain approval before ejecting an Alternate Judge from a polling place
22. Designate English as the official language of Texas and the only language used on ballots

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# PHOTO VOTER ID AND COMPREHENSIVE ELECTION CODE REFORM

## RECOMMENDATIONS FOR LEGISLATION

### **1. Require Photo ID to vote**

- a. Intent: To prevent voter fraud and disenfranchisement of legitimate voters
  - i. Define acceptable forms of ID as follows:
    - 1. Texas driver's license, even if expired
    - 2. ID card issued by the state of Texas or the federal government
    - 3. Free voter ID card issued by the state or county
    - 4. U.S. passport
    - 5. Valid employee ID card containing a photograph from any branch, department, agency, or entity of the U.S. Government, Texas, or any county, municipality, board, authority or other entity of this state
    - 6. Valid U.S. military identification card
    - 7. Valid tribal photo ID
  - ii. If a voter does not have one of the acceptable forms of photo identification, they can still vote a provisional ballot. The voter will have up to two days after the election to present appropriate photo identification at the office of County Registrar or Election Administrator in order for the provisional ballot to be counted.

### **2. Prohibit payment of Deputy Registrars based on quota or number of registration applications collected**

- a. Intent: Remove incentive to submit fraudulent applications
  - i. Of the 812 Voter Registration Applications obtained by True the Vote, approximately 10% were duplicate applicants.
  - ii. See Appendix A for examples\*

### **3. Immediately terminate Deputy Registrars who submit incomplete or late registration applications**

- a. Intent: Prevent disenfranchisement of applicants
  - i. Change the word "may" to the word "shall" in Texas Election Code Sec. 13.036(b).
  - ii. See Appendix C for examples\*

### **4. Immediately terminate Deputy Registrars who sign registration applications they did not complete**

- a. Intent: Prevent falsification of documents
  - i. Increase penalty to Class A misdemeanor and automatic grounds for termination of both Deputy Registrars
  - ii. Oral testimony from former Houston Votes employee suggests this is a frequent occurrence

### **5. Increase penalties for forged or otherwise fraudulent applications**

- a. Intent: Prevent falsification of documents
  - i. See Appendix C for examples\*

\* Available at <http://www.kingstreetpatriots.org/legislation>

## PHOTO VOTER ID AND COMPREHENSIVE ELECTION CODE REFORM RECOMMENDATIONS FOR LEGISLATION

- 6. Allow Registration Challenge based on knowledge of discovery by the voter desiring to challenge the registration**
  - a. Intent: Broaden the definition of "personal knowledge" as it is currently stated in Texas Election Code
    - i. Pursuant to Sec. 16.092 of the Texas Election Code, the challenge to registration must be "based on the personal knowledge of the voter desiring to challenge the registration".
      1. Greatly reduces the efficacy of citizen challenges
      2. Makes it highly unlikely that a registration challenge would ever be brought
- 7. Require mandatory training for Deputy Registrars**
  - a. Intent: Ensure proper completion of voter registration applications
    - i. See Appendix B for examples\*
- 8. Require Deputy Registrars maintain residence in State 6 months prior to deputization**
  - a. Intent: Prevent abuse of system by organizations outside the community
    - i. Oral testimony from former Houston Votes employee suggests that Deputy Registrars are "moved around the Country to where they are needed."
- 9. Require Deputy Registrars to be registered to vote in the State in which they are collecting registration**
  - a. Intent: Prevent abuse of system by organizations outside the community
    - i. Remove the phrase "if any" from Texas Election Code Sec. 13.033(b.4)
    - ii. Oral testimony from former Houston Votes employee suggests that Deputy Registrars are "moved around the Country to where they are needed."
- 10. Allow for Internet Voting for active military personnel stationed overseas**
  - a. Intent: Create a process to allow overseas military personnel to vote using all electronic means (i.e. - Internet voting, email ballots, or by facsimile)
    - i. Allow for the electronic transmission and return of ballot for qualified voters pursuant to Sec. 105.001
    - ii. Reduce costs and burden for county clerks and/or election administrators
    - iii. Ensure overseas military personnel are not disenfranchised
    - iv. Can be used in conjunction with in-place voting system
- 11. Prohibit Same Day registration**
  - a. Intent: Maintain current timeline for voter registration application submissions.
    - i. There are no barriers to registration that warrant necessity of Same Day option
- 12. Increase penalties for Electioneering Distance violations**
  - a. Intent: Deter elected officials or candidates from unduly influencing the outcome of an election
    - i. Current penalties are not an effective deterrent
    - ii. Elected Officials and candidates on the ballot can have a huge impact on the election
    - iii. See Incident Reports 23, 25, 64, 456 and 189 for examples\*

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## **PHOTO VOTER ID AND COMPREHENSIVE ELECTION CODE REFORM RECOMMENDATIONS FOR LEGISLATION**

- 13. Require Election Officer complete Assistance Form each time assistance is provided to a voter**
  - a. Intent: To deter illegal assistance
    - i. Overwhelming majority of "assistance" offered was done so by aggressive Election Officers.
    - ii. Such action is in clear violation of Texas Election Code Sec. 64.032(b).
    - iii. True the Vote trained poll watchers observed that most assistance provided by Election Officers was in violation of Sec. 64.036 which is a Class A Misdemeanor.
    - iv. See attached Incident Reports 53, 220, 283, 514, 229, 239 and 316 for examples and frequency of occurrences.\*
- 14. Require Secretary of State identify and purge voter registry of deceased and felons at standardized intervals**
  - a. Intent: Ensure timely purger of voter registry
- 15. Require Courts provide Secretary of State with records of final felony convictions**
  - a. Intent: Ensure timely purger of voter registry
- 16. Require each election day Election Officer pass a mandatory test**
  - a. Intent: Ensure election integrity; improve efficiencies of early voting process.
    - i. A significant number of Election Officers are untrained and oblivious of proper voting procedures
    - ii. In a survey of True the Vote trained poll watchers, only 58% rated the Presiding Judge as competent.
    - iii. The cost to equip 750 polling locations with 4 computer terminals and needed network equipment is estimated at a total of \$1.5M
- 17. Allow recording devices inside the polling place, while still requiring confidentiality of voter and ballot**
  - a. Intent: Evidence collection
    - i. The state of Louisiana allows video cameras inside the polling place (See: Op.Atty.Gen. No. 94-455, Oct. 18, 1994).
    - ii. Several states (Massachusetts, Montana, Nebraska, North Dakota, Ohio, Oregon, Rhode Island, Tennessee, Vermont and Virginia) do not specifically prohibit video cameras
- 18. Require confidentiality of identity and personal information of a Poll Watcher; impose penalties on any election officer who discloses such**
  - a. Intent: To increase citizen participation and protect their interests
- 19. Require all counties adopt the TEAM system and support online operation**
  - a. Intent: HAVA compliance; to allow real-time voter registration updates to be propagated across involved counties in the cases when a voter moves, dies, or is convicted of a felony crime.
    - i. Roughly 218 counties are "online" with the state's TEAM (Texas Election Administration Management) System.
    - ii. TEAM online counties enter data and manage files directly into the official voter list on a real time basis

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## **PHOTO VOTER ID AND COMPREHENSIVE ELECTION CODE REFORM RECOMMENDATIONS FOR LEGISLATION**

- 20. Require peace officer serving in polling places to be TCLEOSE Certified**
  - a. Intent: Prevent untrained enforcement of Texas law
    - i. See Texas Election Code Sec. 32.075(b)
- 21. Require Presiding Judge obtain approval before ejecting an Alternate Judge from a polling place**
  - a. Intent: Ensure the fairness and integrity of the electoral process
    - i. There is a balance maintained at a polling place with the requirement that each election judge must be from the opposing party
    - ii. A Presiding Judge ejected the Alternate Judge for insufficient grounds during the 2010 General Election
    - iii. Require approval from the Presiding Judge's immediate superior of the community in maintaining the integrity of the election process
- 22. Designate English as the official language of Texas and the only language used on ballots**
  - a. Intent: Reduce costs and burden on Counties where multiple languages are supported
    - i. Estimates show Harris County alone would save \$1,000,000 per election if English was the sole language needed for registration and ballot requirements.
    - ii. In 2007, the Missouri General Assembly approved HJR 7 to place on the ballot a proposed Constitutional Amendment designating English as the official language. Voters approved the measure with nearly 90% voting in favor.

\* Available at <http://www.kingstreetpatriots.org/legislation>